

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
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December 23, 2020

**BY EMAIL & ECF**

Honorable Sidney H. Stein  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED, p. 2**

**Re: *United States v. Delowar Hossain,*  
19 Cr. 606 (SHS)**

Dear Judge Stein:

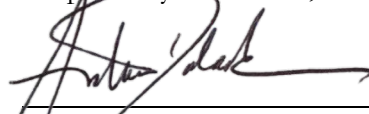
We write to respectfully seek a modification of Delowar Hossain's bail conditions to permit him to spend the upcoming Christmas holiday with his children at Moksha Mahant's house, 179 Tonnele Avenue, Apt. 1, Jersey City, NJ, 07306. Ms. Mahant is one of the five co-signers on Mr. Hossain's \$250,000 personal recognizance bond. Specifically, Mr. Hossain requests the Court's permission to leave his home at 8:00 AM on Friday, December 25, 2020, go straight to Ms. Mahant's house, and return home by midnight the same day.

The government defers to Pre-Trial Services regarding Mr. Hossain's request. Undersigned counsel consulted with Pre-Trial Officer Bernisa Mejia (copied) who explained that this outing falls under Pre-Trial Services' general policy opposing social exceptions for defendants under home confinement.<sup>1</sup> However, Officer Mejia also stated that Mr. Hossain is in full compliance with all of his bail conditions, and that Pre-Trial Services will of course abide any Court-ordered bail modification.

Cc: AUSA David Denton  
AUSA Jessica Fender

Pre-Trial Officer Bernisa Mejia

Respectfully Submitted,



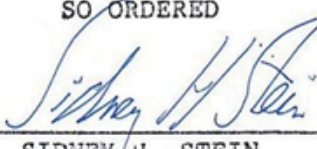
Amy Gallicchio  
Andrew J. Dalack  
Assistant Federal Defenders  
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<sup>1</sup> Notably, there is a compelling argument to be made that Christmas is as important a holiday for Muslims (like Mr. Hossain) as it is for Christians, and that it is more appropriate for Pre-Trial Services to view Mr. Hossain's request as a religious one. Muslims believe in the virgin birth of Jesus of Nazareth just as much as Christians do, and the Virgin Mary (or Mariam, as she is known in the Quran) is the most important woman in Islam. Indeed, there is more discussion of the Virgin Mary in the Quran than in the Bible, and her story is related through seven chapters, including one named after her. See Esposito, John. *What Everyone Needs to Know About Islam*. New York: University Press, 2002. P31.; cf. Stowasser, Barbara Freyer, "Mary", in: *Encyclopaedia of the Qur'an*, General Editor: Jane Dammen McAuliffe, Georgetown University, Washington DC.

Defendant's request to leave his home at 8:00 a.m. on Friday, December 25, 2020, go straight to Ms. Mahant's house, and return home by midnight the same day is granted.

Dated: New York, New York  
December 23, 2020

SO ORDERED  
  
\_\_\_\_\_  
SIDNEY H. STEIN  
U.S.D.J.